

Application No. 10/662,073
Amendment dated May 27, 2008
Reply to Office Action of February 27, 2007

Amendments to the Drawings:

The attached sheets of drawings include replacement drawing sheets for **Figure 7** and **Figures 11-15.**

Attachment: Replacement Sheets

Application No. 10/662,073
Amendment dated May 27, 2008
Reply to Office Action of February 27, 2007

RECEIVED
CENTRAL FAX CENTER
MAY 27 2008

REMARKS

Applicant's attorney thanks the Examiner for the attention given to this application. Claims 1-9, 12-20, and 22-26 are presented for the Examiner's consideration. Claims 10, 11 and 21 were previously canceled.

Pursuant to 37 C.F.R. § 1.111, reconsideration of the present application in view of the foregoing submissions and the following remarks is respectfully requested.

1. Objection to the Drawings.

In paragraph 2 of the Office Action mailed February 27, 2008, the Office objected to the drawings. The Office states that in Figure 7, the arrow from 600 should be dashed to indicate underlying structure. The Office also states that in new Figures 11-15, i.e. different embodiments of a composite, are all numbered by the same numeral, i.e. 701, which numeral was also used to describe another embodiment set forth at page 37, lines 31-32, i.e. the different embodiments should be denoted by different numerals.

With respect to the Office's objection to the drawings, Applicants provide herewith replacement drawings for Figure 7 and Figures 11-15. Applicants have amended the Specification to reflect the changes in Figures 11-15.

Applicants respectfully request that this objection be withdrawn.

2. Objection to the Description.

In paragraphs 3 & 4 of the Office Action mailed February 27, 2008, the Office objects to the disclosure because of the following informalities: The Summary of the Invention section on page 3, i.e. a description of the claimed invention, and the invention of the claims are still not commensurate in scope. The Office states that, at the very least, see the discussion infra, the description of the invention is inconsistent. The Office states, for example, the neutralization of the superabsorbent material as claimed is not consistent with what is disclosed in the Examples 1-8. The Office states, therefore, at the very least a consistent description of what the invention is should be set forth throughout the specification. The Office also states, as discussed supra, the absorbent composites in new Figures 11-15, i.e. different embodiments of a composite, are all numbered by

Application No. 10/662,073
Amendment dated May 27, 2008
Reply to Office Action of February 27, 2007

the same numeral, i.e. 701, see the amendments to pages 7-9 of the Response dated January 15, 2008, which numeral was also used to describe another embodiment set forth at page 37, lines 31-32, i.e. the different embodiments should be denoted by different numerals. Additionally, the Office states appropriate correction is required.

With respect to the Description, Applicants submit that the Summary of the invention as Amended in the Reply dated October 2, 2007 is commensurate with the invention *as claimed* as required by 37 CFR 1.73.

With respect to the Figures, Figures 11-15 and the corresponding Specification sections have been amended to address the Examiner's concerns.

Applicants respectfully request that this objection be withdrawn.

3. Claims 1-9, 12-20, and 22-26 are rejected under 35 U.S.C. §112, first paragraph.

With respect to claims 1-9, 12-20, and 22-26, Applicants have filed a Notice of Appeal, filed contemporaneously herewith.

4. Claims 1-9, 12, 20, and 22-26 are rejected under 35 U.S.C. §112, first paragraph.

With respect to claims 1-9, 12-20, and 22-26, Applicants have filed a Notice of Appeal, included herewith.

5. Claims 1-9, 12-20, and 22-26 are rejected under 35 U.S.C. §112, first paragraph.

With respect to claims 1-9, 12-20, and 22-26, Applicants have filed a Notice of Appeal, filed contemporaneously herewith.

6. Claims 1-9, 12-20, and 22-26 are rejected under 35 U.S.C. §112, second paragraph.

With respect to claims 1-9, 12-20, and 22-26, Applicants have filed a Notice of Appeal, filed contemporaneously herewith.

7. Claim Interpretation.

With respect to the interpretation of claims 1, 12, and 23, Applicants have filed a Notice of Appeal, filed contemporaneously herewith.

Application No. 10/662,073
Amendment dated May 27, 2008
Reply to Office Action of February 27, 2007

8. Claims 1-9, 12-20, and 22-26 are rejected under 35 U.S.C. §102(b), in the alternative, under 35 U.S.C. §103(a).

With respect to claims 5-9, 12-20, 22-23, and 25-26, Applicants have filed a Notice of Appeal, filed contemporaneously herewith.

9. Claims 1-9, 12-20, and 22-26 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over the claims of U.S. Patent No. 7,285,614 issued to Jonas et al., in view of Dow.

With respect to claims 1-9, 12-20, and 22-26, Applicants have filed a Notice of Appeal, filed contemporaneously herewith.

10. Notice of Appeal.

Applicants respectfully draw the Examiner's attention to the Notice of Appeal, being filed contemporaneously herewith.

11. Timely Response.

The response is timely filed on May 27, 2008.

12. Conclusion.

Applicants intend to be fully responsive to the outstanding Office Action. If the Examiner detects any issue which the Examiner believes Applicants have not addressed in this response, or if any additional information is required, the Examiner is respectfully requested to contact the undersigned at (920) 721-4405.

Applicants sincerely believe that this Patent Application is in condition for allowance and respectfully request favorable consideration and the timely allowance of the pending claims.

Applicants do not believe that any fee is due in connection with this revised response. However, the Commissioner is hereby authorized to charge any deficiency or overpayment of any fees to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such extension is requested and should also be charged to our Deposit Account.

Application No. 10/662,073
Amendment dated May 27, 2008
Reply to Office Action of February 27, 2007

The undersigned may be reached at: (920) 721-4405.

Respectfully submitted,

RICHARD N. DODGE II ET AL.

By 

Bryan R. Rosiekja

Registration No.: 55, 583

Attorney for Applicant(s)

CERTIFICATE OF TRANSMISSION

I, Mary L. Marchant, hereby certify that on May 27, 2008, this document is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300.


Mary L. Marchant